

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re:

RESIDENTIAL CAPITAL, LLC, *et al.*,
Debtors.

ROWENA DRENNEN, FLORA GASKIN, ROGER TURNER, CHRISTIE TURNER, JOHN PICARD AND REBECCA PICARD, individually and as the representatives of the KESSLER SETTLEMENT CLASS,

STEVEN AND RUTH MITCHELL, individually and as the representatives of the MITCHELL SETTLEMENT CLASS,

And

RESCAP LIQUIDATING TRUST,

Plaintiffs,

vs.

CERTAIN UNDERWRITERS AT LLOYD'S OF LONDON,

Defendants.

Case No. 12-12020

Chapter 11

Jointly Administered

Adv. Case No. 15-01025-shl

The Parties¹ hereby agree that:

¹ The "Parties" refer to Plaintiffs Kessler Settlement Class, Mitchell Settlement Class, and the ResCap Liquidating Trust and Defendants Certain Underwriters at Lloyd's of London, Clarendon National Insurance Company, Continental Casualty Company, North American Specialty Insurance Company, St. Paul Mercury Insurance Company, Steadfast Insurance Company, Swiss Re International SE, and Twin City Fire Insurance Company.

1. The Parties shall file simultaneous motions for partial summary judgment concerning the application of fee exclusions (Policy Exclusions C.9 and C.10) according to the following briefing schedule:

Event	Anticipated Deadline
Initial summary judgment motions filed	March 16, 2018
Opposition briefs filed	April 20, 2018
Reply briefs (if any) filed	May 11, 2018
Oral argument	<u>May 31, 2018 TO BE DETERMINED</u>

At this time, the Parties have agreed to include a deadline for the filing of reply briefs in the briefing schedule without prejudice to the Parties' right to later decide reply briefs are not necessary. The Parties will meet and confer shortly after filing opposition briefs to discuss the necessity of additional briefing. If the Parties determine that reply briefs are not necessary, the Parties will promptly inform the Court no later than May 1, 2018 that no reply briefs will be filed and that briefing of the partial summary judgment motions has concluded.

2. In accordance with the Individual Rules of this Court, the initial moving briefs and opposition briefs will each be limited to 40 pages, and reply briefs (if any) will be limited to 20 pages, exclusive of tables of contents and tables of authorities.

Dated: February 16, 2018

/s/ R. Frederick Walters

**WALTERS, BENDER STROHBEHN &
VAUGHAN, P.C.**

R. Frederick Walters, Esq.

Karen W. Renwick, Esq.

David M. Skeens, Esq.

Michael B. Sichter, Esq.

1100 Main, Suite 2500

Kansas City, Missouri 64105

(816) 421-6620 (Telephone)

(816) 421-4747 (Facsimile)

fwalters@wbsvlaw.com

krenwick@wbsvlaw.com

dskeens@wbsvlaw.com

msichter@wbsvlaw.com

/s/ Selena J. Linde

PERKINS COIE, LLP

Selena J. Linde, Esq.

Vivek Chopra, Esq.

Alexis Danneman, Esq.

700 13th St. NW, Suite 600

Washington, DC 20005

Telephone (202) 654-6200

Facsimile (202) 654-9952

SLinde@perkinscoie.com

VChopra@perkinscoie.com

ADanneman@perkinscoie.com

Counsel for ResCap Liquidating Trust

Co-Lead Counsel for the Kessler Class

Counsel for the Mitchell Class

/s/ R. Bruce Carlson

**CARLSON LYNCH SWEET &
KILPELA, LLP**

R. Bruce Carlson, Esq.

Edwin J. Kilpela, Jr., Esq.

1133 Penn Avenue, 5th Floor

Pittsburgh, Pennsylvania 15222

(412) 322-9243 (Telephone)

(412) 231-0246 (Facsimile)

bcarlson@carlsonlynch.com

ekilpela@carlsonlynch.com

/s/ Daniel J. Flanigan

POLSINELLI

Daniel J. Flanigan

Jason A. Nagi

900 Third Avenue, 21st Floor

New York, New York 10022

(212) 684-0199 (Telephone)

(212) 684-0197 (Facsimile)

dflanigan@polsinelli.com

jnagi@polsinelli.com

Counsel for Kessler and Mitchell

Co-Lead Counsel for the Kessler Class

/s/ Lawrence Klein

Soo Y. Kim, Esq.
Lawrence Klein, Esq.
J. Gregory Lahr, Esq.
ROBINSON & COLE LLP
666 Third Avenue, 20th Floor
New York, NY 10017
(212) 451-2900 (Telephone)
(212) 451-2999 (Facsimile)
skim@rc.com
lklein@rc.com
glahr@rc.com

*Attorneys for Defendant Certain Interested
Underwriters at Lloyd's, London*

/s/ John Duchelle

John W. Duchelle, Esq.
Thomas Hay, Esq.
TROUTMAN SANDERS LLP
401 9th Street NW
Washington, DC 20004
(202) 274-2916 (Telephone)
(202) 654-5609 (Facsimile)
John.duchelle@troutmansanders.com
Thomas.hay@troutmansanders.com

*Attorneys for Defendant Clarendon National
Insurance Company*

/s/ Patrick Kennell

Patrick M. Kennell, Esq.
Kevin M. Mattessich, Esq.
**KAUFMAN DOLOWICH & VOLUCK,
LLP**
60 Broad Street — 36th Floor
New York, New York 10038
(212) 458-9600 (Telephone)
(212) 485-9700 (Facsimile)
pkennell@kdvlaw.com
kmattessich@kdvlaw.com

*Attorneys for Defendant Continental
Casualty Company*

/s/ Daniel Bernstein

Daniel Bernstein, Esq.
**ARNOLD & PORTER KAYE
SCHOLER LLP**
399 Park Ave.
New York, NY 10022-4690
(212) 715-1000 (Telephone)
(212) 715-1399 (Facsimile)
Daniel.bernstein@aporter.com

*Attorneys for Defendant North American
Specialty Insurance Company*

/s/ Scott Schechter

Scott A. Schechter, Esq.

Paul T. Curley, Esq.

Patrick Stoltz, Esq.

KAUFMAN BORGEEST & RYAN LLP

200 Summit Lake Drive, 1st Floor

Valhalla, New York 10595

(914) 449-1000 (Telephone)

(914) 449-1100 (Facsimile)

sschechter@kbrlaw.com

pcurley@kbrlaw.com

pstoltz@kbrlaw.com

*Attorneys for Defendant St. Paul Mercury
Insurance Company*

/s/ Ronald Schiller

Ronald P. Schiller, Esq.

Sharon F. McKee, Esq.

HANGLEY ARONCHICK SEGAL

PUDLIN & SCHILLER

One Logan Square, 27th Floor

Philadelphia, PA 19103-6933

(215) 568-6200 (Telephone)

(215) 568-0300 (Facsimile)

rschiller@hangley.com

smckee@hangley.com

*Attorneys for Defendant Steadfast Insurance
Company*

/s/ Thorn Rosenthal

Samuel G. Mann, Esq.
Thorn Rosenthal, Esq.
CAHILL GORDON & REINDEL LLP
Eighty Pine Street
New York, NY 10005
(215) 701-3823 (Telephone)
(215) 378-2328 (Facsimile)
smann@cahill.com
trosenthal@cahill.com

*Attorneys for Defendant Swiss Re
International (f/k/a SR International Business
Insurance Company Ltd.)*

/s/ Susan Gummow

Susan N.K. Gummow, Esq.
John Eggum, Esq.
**FORAN GLENNON PALANDECH
PONZI & RUDLOFF P.C.**
222 N. La Salle St., Ste. 1400
Chicago, IL 60601
(312) 863-5000 (Telephone)
(312) 863-5099 (Facsimile)
sgummow@fgppr.com
[jeggum\(@fgppr.com](mailto:jeggum(@fgppr.com)

*Attorneys for Those Certain Underwriting
Members at Lloyd's, London and Those
Companies Whose Names are Severally
Subscribed to Policy No. FD0001142 and Those
Certain Underwriting Members at Lloyd's,
London and Those Companies Whose Names are
Severally Subscribed to Policy No. FD0001144,
Twin City Fire Insurance Company, Continental
Casualty Company, Clarendon National
Insurance Company, Swiss Re International S.E.
(formerly known as [f/k/a] SR International
Business Insurance Company Ltd.), Steadfast
Insurance Company, St. Paul Mercury Insurance
Company, and North American Specialty
Insurance Company*

/s/ Daniel Standish

Cara Tseng Duffield, Esq.
Daniel J. Standish, Esq.
WILEY REIN LLP
1776 K Street N.W.
Washington, DC 20006
(202) 719-7000 (Telephone)
(202) 719-7049 (Facsimile)
dstandish@wileyrein.com
mmartin@wileyrein.com

*Attorneys for Defendant Twin City Fire
Insurance Company*

SO ORDERED this **28th** day of **February**, 2018

/s/ Sean H. Lane

The Honorable Sean H. Lane
United States Bankruptcy Judge